IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

LA.App..No. 407 of 2001()

LAR.335/1993 of PRINCIPAL SUB COURT,KOLLAM
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APPELLANT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

RESPONDENTS:
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1. G.CHANDRAMOHAN, KOTTAPPURAM,
KOTTUNGALAZHIKATHU VEEDU,
KOTTAPPURAM.

2. G.ANANDAMOHAN, -DO-

BY ADV. SRI.KKM.SHERIF
SRI.LAL K.JOSEPH

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 24/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.2322/2002 IN L.A.A.NO.407/01

DISMISSED.

24.9.2007 SD/- KURIAN JOSEPH, JUDGE.

SD/- HARUN-UL-RASHEED, JUDGE.

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO.407 OF 2001

Dated 24th September, 2007.

J U D G M E N T

Kurian Joseph, J.

This appeal is directed against the judgment and decree in LAR 335/93 on the file of the Sub Court, Kollam. The acquisition is for the purpose of widening of the road at Paravoor market junction. The reference court relied on Ext.A2 document, …..”since there is no counter evidence from the respondent's side to disprove the claimants' case for enhancement of compensation based on Ext.A2 document”. As per Ext.A2, the value is Rs.1,50,000/- per Are. Learned Government Pleader submits that the said property is having road frontage and located within Kottappuram village. As far as the present case is concerned, it is seen that the property is situated at the heart of the town. In the absence of any evidence to the contra, we do not find that the reference court has committed any illegality in fixing the market value based on

the evidence of the claimant. It is also to be noted that in the instant case also, the property acquired is only .35 Ares. For all the above reasons, it is not necessary to interfere with the decree and judgment passed by the court below. The appeal is hence dismissed.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

L.A.A. NO.407 OF 2001

J U D G M E N T

Dated 24th September, 2007.